

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2008 Legislative Session**

**Legislative Day No. 5  
May 5, 2008**

**HOWARD COUNTY TO WIT:**

The Chairman called the session to order at 7:34 p.m.

Courtney Watson, Chairperson; Mary Kay Sigaty, Vice Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Jennifer Terrasa, Council Member, were present. Sheila Tolliver; Administrator to the County Council; Margaret Nolan, County Solicitor; Jim Vannoy, Office of Law; and Jennifer Sager, Legislative Coordinator, were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the journal for Legislative Day No. 4, April 7, 2008. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to approve the journal was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the following minutes:

- Capital Budget Work Session – April 22, 2008
- Capital Budget Public Hearing – April 22, 2008
- Legislative Public Hearing – April 22, 2008
- Capital Budget Work Session – April 25, 2008
- Legislative Work Session – April 28, 2008
- Capital & Operating Budgets Public Hearing – April 29, 2008
- Operating Budget Public Hearing – April 30, 2008

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to approve the minutes was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to approve the minutes passed. (See attached.)

**INTRODUCTION**

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

## **Appointments**

Council Resolution No. 36-2008 – Confirming the appointment of Lori L. Sherwood as Cable Administrator

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A RESOLUTION confirming the appointment of Lori L. Sherwood as Cable Administrator.

Council Resolution No. 37-2008 – Confirming the appointment of Diana Carson Seybolt to the Board of Directors of the Howard County Mental Health Authority

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A RESOLUTION confirming the appointment of Diana Carson Seybolt to the Board of Directors of the Howard County Mental Health Authority

## **Financial**

Council Resolution No. 38-2008 – Approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2008; transferring \$150,000 from the Administration category; \$350,000 from the Mid-Level Administration category; \$140,000 from the Operation of Plant category; and \$300,000 from the Maintenance of Plant category for a total transfer of \$940,000 to the Special Education category

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A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2008; transferring \$150,000 from the Administration category; \$350,000 from the Mid-Level Administration category; \$140,000 from the Operation of Plant category; and \$300,000 from the Maintenance of Plant category for a total transfer of \$940,000 to the Special Education category.

Council Resolution No. 35-2008 - Adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance by Howard County, Maryland, of up to \$11,000,000 of its limited obligation bonds and the loan of the proceeds thereof to Glenelg Country School, Inc. to be used to (1) refund the Howard County, Maryland Economic Development Revenue Bonds (Glenelg Country School Facility) Series 2003 A, B and C, (2) refinance a loan from Mercantile-Safe Deposit and Trust Company Bank to Glenelg Country School, Inc. made on May 31, 2005, and (3) finance costs of issuance and other related costs

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A RESOLUTION adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance by Howard County, Maryland, of up to \$11,000,000 of its limited obligation bonds and the loan of the proceeds thereof to Glenelg Country School, Inc. to be used to (1) refund the Howard County, Maryland Economic Development Revenue Bonds (Glenelg Country School Facility) Series 2003 A, B and C, (2) refinance a loan from Mercantile-Safe Deposit and Trust Company Bank to Glenelg Country School, Inc. made on May 31, 2005, and (3) finance costs of issuance and other related costs; reserving certain rights; providing for the issuance of bond anticipation notes for such purposes; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, documents or procedures; and specifying and describing various matters in connection therewith.

## **General**

Council Bill No. 33-2008 – Adding a position to the list of executive exempt positions in the Howard County Code that are appointed by the County Executive; amending the title of Chief Deputy as appointed by Chief of Fire and Rescue Services; providing for the application of this Act

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AN ACT adding a position to the list of executive exempt positions in the Howard County Code that are appointed by the County Executive; amending the title of Chief Deputy as appointed by Chief of Fire and Rescue Services; providing for the application of this Act; and generally relating to human resources provisions in the Howard County Code.

Council Bill No. 34-2008 – Amending the Classification Plan for Howard County by adding certain introductory language; adding and amending certain class descriptions; amending certain minimum experience requirements to be consistent with the Howard County Code; amending certain class titles; making certain technical corrections; providing for the application of this Act

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AN ACT amending the Classification Plan for Howard County by adding certain introductory language; adding and amending certain class descriptions; amending certain minimum experience requirements to be consistent with the Howard County Code; amending certain class titles; making certain technical corrections; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan.

Council Bill No. 35-2008 – Pursuant to Section 1.111(e) of the Howard County Code approving provisions in an amendment to the Memorandum of Agreement between Howard County and the International Union of Police Associations - Howard County Local 107 which are in conflict with the provisions of Title 1 “Human Resources” of the County Code or the Employee Manual and providing for the application of this Act

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AN ACT pursuant to Section 1.111(e) of the Howard County Code approving provisions in an amendment to the Memorandum of Agreement between Howard County and the International Union of Police Associations - Howard County Local 107 which are in conflict with the provisions of Title 1 “Human Resources” of the County Code or the Employee Manual and providing for the application of this Act.

Council Bill No. 36-2008 – Amending the eligibility criteria to qualify for the refuse collection charge assistance program; and generally related to the refuse collection charge assistance program in Howard County

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AN ACT amending the benefits for payments made under the Length of Service Awards Program for volunteer firefighters and emergency medical services personnel; and generally related to fire and rescue services in Howard County.

Council Bill No. 37-2008 – Amending the benefits for payments made under the Length of Service Awards Program for volunteer firefighters and emergency medical services personnel; and generally related to fire and rescue services in Howard County

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AN ACT amending the benefits for payments made under the Length of Service Awards Program for volunteer firefighters and emergency medical services personnel; and generally related to fire and rescue services in Howard County.

Council Bill No. 38-2008 – Amending the Howard County Fire Prevention Code to authorize the adoption of certain fees; and generally related to fire and rescue services in Howard County

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AN ACT amending the Howard County Fire Prevention Code to authorize the adoption of certain fees; and generally related to fire and rescue services in Howard County.

Council Bill No. 39-2008 – Amending the Adequate Public Facilities Ordinance to expand the eligibility for Route 1 revitalization allocations; to amend the number of units that may be granted to a given project; to provide for the advancement of certain Route 1 revitalization allocations under certain conditions; and generally related to Howard County's Adequate Public Facilities Ordinance

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AN ACT amending the Adequate Public Facilities Ordinance to expand the eligibility for Route 1 revitalization allocations; to amend the number of units that may be granted to a given project; to provide for the advancement of certain Route 1 revitalization allocations under certain conditions; and generally related to Howard County's Adequate Public Facilities Ordinance.

Council Bill No. 40-2008 – Ratifying and approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at 88 State Circle, Annapolis, Maryland by and between the Mayor and City Council of Baltimore, Howard County, Maryland, and Harford County, Maryland

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AN ACT ratifying and approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at 88 State Circle, Annapolis, Maryland by and between the Mayor and City Council of Baltimore, Howard County, Maryland, and Harford County, Maryland.

Council Bill No. 41-2008 – Approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at the Harper's Choice Village Center, Columbia, Howard County, Maryland by and between Village Center Business Trust and Howard County, Maryland, to be utilized by the Howard County Police Department

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AN ACT approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at the Harper's Choice Village Center, Columbia, Howard County, Maryland by and between Village Center Business Trust and Howard County, Maryland, to be utilized by the Howard County Police Department.

Council Bill No. 42-2008 – Approving, in accordance with Section 612 of the Howard County Charter, a multi-year license agreement extension by and between the Columbia Association and Howard County, Maryland for space in the parking lot at the Oakland Mills Village Center, Columbia, Howard County, Maryland to be used by the Police Department

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AN ACT approving, in accordance with Section 612 of the Howard County Charter, a multi-year license agreement extension by and between the Columbia Association and Howard County, Maryland for space in the parking lot at the Oakland Mills Village Center, Columbia, Howard County, Maryland to be used by the Police Department.

Council Resolution No. 39-2008 – Pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 26.233 acres owned by Howard County, Maryland and located along Martha Bush Drive in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

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A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 26.233 acres owned by Howard County, Maryland and located along Martha Bush Drive in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

Council Resolution No. 40-2008 – Pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 24.5 acres owned by Howard County, Maryland and located along Rogers Avenue in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

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A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 24.5 acres owned by Howard County, Maryland and located along Rogers Avenue in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

### **Fiscal Year 2009 Budget**

Council Bill No. 28-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$120,833,603 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, a library project, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2004, and to pay costs of issuance of such bonds

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AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$120,833,603 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, a library project, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2004), and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 29-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$13,950,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County education capital projects, as more particularly described in the County's 2009 Capital Budget (including, without limitation, borrowings for one of such capital projects previously authorized in 2004, and to pay costs of issuance of such bonds

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AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$13,950,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County education capital projects, as more particularly described in the County's 2009 Capital Budget (including, without limitation, borrowings for one of such capital projects previously authorized in 2004) , and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with school facilities surcharges and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 30-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$19,101,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2004) and to pay costs of issuance of such bonds

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AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$19,101,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2004) and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with building excise taxes and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 31-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$144,569,618 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2004), and to pay costs of issuance of such bonds

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AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$144,569,618 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2004), and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements to pay portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon the assessable property in the Metropolitan District and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 32-2008 – AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$63,000,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project No. S-6214 (Sewer Contingency Fund), as described in the County's 2009 Capital Budget, and to pay all related costs

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AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$63,000,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds

thereof to be used to pay costs of Capital Project No. S-6214 (Sewer Contingency Fund), as described in the County's 2009 Capital Budget, and to pay all related costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into one or more Loan Agreements with the Administration to effect and further evidence such borrowing; and making certain findings and determinations.

Council Bill No. 43-2008 – Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2009

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AN ACT adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2009.

Council Bill No. 44-2008 – Amending the Pay Plan for Howard County; establishing pay rates for certain employees; adding and amending certain classification titles and pay grades; removing certain provisions related to certain awards; adding or amending certain specialty pays and longevity steps; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County

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AN ACT amending the Pay Plan for Howard County; establishing pay rates for certain employees; adding and amending certain classification titles and pay grades; removing certain provisions related to certain awards; adding or amending certain specialty pays and longevity steps; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Resolution No. 41-2008 – Approving the Capital Program for Howard County for Fiscal Years 2010 through 2014 and the Extended Capital Program for Fiscal Years 2015 through 2018

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A RESOLUTION approving the Capital Program for Howard County for Fiscal Years 2010 through 2014 and the Extended Capital Program for Fiscal Years 2015 through 2018.

Council Resolution No. 42-2008 – Approving the Fiscal Year 2009 operating budget for the Howard Community College and indicating appropriations for major functional categories

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A RESOLUTION approving the Fiscal Year 2009 operating budget for the Howard Community College and indicating appropriations for major functional categories.

Council Resolution No. 43-2008 – Approving the County's portion of the Fiscal Year 2009 budget for the Department of Libraries and indicating appropriations for object classes

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A RESOLUTION approving the County's portion of the Fiscal Year 2009 budget for the Department of Libraries and indicating appropriations for object classes.



Council Resolution No. 44-2008 – Setting forth the Fiscal Year 2009 Operating Budget for the Howard County Board of Education

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A RESOLUTION setting forth the Fiscal Year 2009 Operating Budget for the Howard County Board of Education.

Council Resolution No. 45-2008 – Approving schedules for charges pertaining to the Metropolitan District and to water and sewer service

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A RESOLUTION approving schedules for charges pertaining to the Metropolitan District and to water and sewer service.

Council Resolution No. 46-2008 – Approving schedules of fees for the functions regulated by the Department of Public Works

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A RESOLUTION approving schedules of fees for the functions regulated by the Department of Public Works.

Council Resolution No. 47-2008 – Approving a schedule of fees for the collection of refuse in Howard County

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A RESOLUTION approving a schedule of fees for the collection of refuse in Howard County.

Council Resolution No. 48-2008 – Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits

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A RESOLUTION approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

Council Resolution No. 49-2008 – Approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning

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A RESOLUTION approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning.

Council Resolution No. 50-2008 – Adopting fees for Fire Prevention Services

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A RESOLUTION adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates.

Council Resolution No. 51-2008 – Adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates

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A RESOLUTION adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates.

Council Resolution No. 52-2008 – Approving schedules of fees and rates for functions regulated and administered by the Department of Police

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A RESOLUTION approving schedules of fees and rates for functions regulated and administered by the Department of Police.

Council Resolution No. 53-2008 – Approving schedules of fees for functions regulated by the Health Department

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A RESOLUTION approving schedules of fees for functions regulated by the Health Department.

Council Resolution No. 54-2008 – Approving fee and rate schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;
- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records

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A RESOLUTION approving fee and rate schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;
- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records.

Council Resolution No. 55-2008 – Approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County's parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program

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A RESOLUTION approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County's parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program.

Council Resolution No. 56-2008 – Levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax

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A RESOLUTION levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax.

Council Resolution No. 57-2008 – Imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court

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A RESOLUTION imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court.

Council Resolution No. 58-2008 – Adopting the schedule of rates for the Building Excise Tax

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A RESOLUTION adopting the schedule of rates for the Building Excise Tax.

Council Resolution No. 59-2008 – Levying Fire and Rescue tax rates beginning July 1, 2008

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A RESOLUTION levying Fire and Rescue tax rates beginning July 1, 2008.

Council Resolution No. 60-2008 - Levying a property tax for the fiscal year beginning July 1, 2008 and ending June 30, 2009; setting the tax rates for property; and providing for the collection of the property tax

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A RESOLUTION levying a property tax for the fiscal year beginning July 1, 2008 and ending June 30, 2009; setting the tax rates for property; and providing for the collection of the property tax.

### **FINAL CONSIDERATION**

The Chairperson moved to adopt the following legislation:

#### **Consent**

Council Resolution No. 27-2008 – Confirming the appointment of Herman Charity to the Recreation & Parks Board

Council Resolution No. 28-2008 – Confirming the appointment of Howard Feaga to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board

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Council Resolution No. 29-2008 – Confirming the reappointment of Sean M. Hough to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board

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Council Resolution No. 33-2008 - Introduced by the Chairperson - Calling the County Council of Howard County, Maryland into legislative session on May 22, 2008

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the consent items was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolutions No. 27-2008, No. 28-2008, No. 29-2008 and No. 33-2008 passed.

### **Financial**

Council Bill No. 17-2008 – Supplementing Council Bill No. 34-2006, as supplemented, which provided for the issuance of the County's Consolidated Public Improvement Bonds and/or Metropolitan District Bonds to provide funds to pay the County's Consolidated Public Improvement Commercial Paper Bond Anticipation Notes, Series D (the "Notes"), in order to provide for the issuance of an additional \$107,500,000 of such Bonds in order to provide funds to pay \$107,500,000 of additional Notes, and for related purposes; and providing for and determining various matters in connection therewith

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The Chairperson moved to adopt Council Bill No. 17-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 17-2008 passed.

Council Bill No. 18-2008 – Supplementing Council Bill No. 35-2006, as supplemented, which provided for the issuance and reissuance of the County's Consolidated Public Improvement Commercial Paper Bond Anticipation Notes, Series D (the "Notes"), in order to provide for the issuance of an additional \$107,500,000 of the Notes, for the disbursement of the proceeds of such additional Notes, and for related purposes; and providing for and determining various matters in connection therewith

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The Chairperson moved to adopt Council Bill No. 18-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 18-2008 passed.

Council Bill No. 19-2008 – Providing for the issuance and sale of the Howard County, Maryland Water Quality Bond, Series 2008A, in the maximum principal amount of \$1,415,000; providing for and approving a Loan Agreement with the Maryland Water Quality Financing Administration (the "Administration"); prescribing the forms of such Bond and Loan Agreement; providing certain details relating thereto or the method of determining such details; providing that such Bond shall be issued on the County's full faith and credit; providing for disbursement of the proceeds of such Bond and for the levying of taxes for payment of the principal of and interest on such Bond; providing for the private (negotiated) sale of such Bond to the Administration; and providing for and determining various matters in connection therewith

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The Chairperson moved to adopt Council Bill No. 19-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 19-2008 as follows: (See attached.)

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 19-2008 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 19-2008 passed as amended.

Supplementary Budget & Appropriation Ordinance No. 10-Fiscal 2008 - AN ACT transferring \$657,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal

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The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 10-FY2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the ordinance was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Supplementary Budget & Appropriation Ordinance No. 10-FY2008 passed.

### **General**

Council Bill No. 20-2008 – Pursuant to Section 612 of the Howard County Charter, approving a Contract between Howard County, Maryland and Constellation New Energy – Gas Division, LLC, for natural gas supply services during a multi-year renewal term

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The Chairperson moved to adopt Council Bill No. 20-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Sigaty and Terrasa. Abstain: Council Member Fox.  
Council Bill No. 20-2008 passed.

Council Bill No. 21-2008 – Amending the Howard County Retirement Plan to make certain technical corrections as required by Sections 401(a)(9) and 415 of the Internal Revenue Code; to clarify certain terminology; to allow for certain distributions to certain non-spouse beneficiaries as permitted by a recent amendment to the Internal Revenue Code; to allow rollover distributions to certain eligible retirement plans as required by recent amendments to the Internal Revenue Code; and generally relating to the Howard County Retirement Plan

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The Chairperson moved to adopt Council Bill No. 21-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Council Bill No. 21-2008 passed.

Council Bill No. 22-2008 – Amending the Howard County Police and Fire Employee's Retirement Plan to make certain technical corrections as required by Sections 401(a)(9) and 415 of the Internal Revenue Code; to clarify certain terminology; to allow for certain distributions to certain non-spouse beneficiaries as permitted by a recent amendment to the Internal Revenue Code; to allow additional opportunities for participation by police officers in the Deferred Retirement Option Program; to allow certain rollover distributions to Roth IRAs as required by a recent amendment to the Internal Revenue Code; and generally relating to the Howard County Police and Fire Employees Retirement Plan

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The Chairperson moved to adopt Council Bill No. 22-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Council Bill No. 22-2008 passed as amended.

Council Bill No. 23-2008 – Establishing a Board to Promote Self-Sufficiency; providing for the membership, terms, officers, and staffing of the Board; setting forth the requirements for meetings and voting; authorizing the use of subcommittees and the adoption of certain Operating Procedures; providing for the purpose and responsibilities of the Board; providing the expiration dates of the terms of the initial members of the Board; providing for certain exceptions applicable to the Board; and generally relating to the Board to Promote Self-Sufficiency

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The Chairman moved to adopt Council Bill No. 23-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 23-2008 as follows: *(This amendment makes certain technical corrections; clarifies the Board's purpose and responsibilities regarding grants; provides that the Operating Procedures will set forth the term limits for officers, and adds certain representatives as follows:*

- 1. Adds the representative of the School System as a mandatory member;*
- 2. Adds a representative from the Association of Community Services or any other network of human service providers; and*
- 3. Adds a representative of the Chamber of Commerce or any other organization whose purpose is to facilitate the success of businesses.)*

On page 2, strike in their entirety lines 26 through 30, inclusive, and substitute:

“(3) SERVE AS THE GOVERNANCE BODY FOR THE DISTRIBUTION OF CERTAIN RESOURCES THAT SUPPORT INITIATIVES OF THE BOARD.”

On page 3, in line 2, strike “17” and substitute “20”.

On page 3, in line 3, strike “25” and substitute “27”.

On page 3, in line 27, strike “(v)” and substitute “(VII)”.

On page 3, in line 28, strike “AND”.

On page 3, in line 29, strike “(VI)” and substitute “(VIII)”.

On page 3, in line 30, strike “DESIGNEE” and substitute “DESIGNEE; AND”.

On page 3, after line 30 insert:

“(IX) THE SUPERINTENDENT OF THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM, OR THE SUPERINTENDENT’S DESIGNEE.”

On page 4, strike in their entirety lines 1 and 2.

On page 4, in line 3, strike “(II)” and substitute “(I)”.

On page 4, in line 5, strike “(III)” and substitute “(II)”.

On page 4, strike in their entirety lines 7 through 28, inclusive, and substitute:

- “(5) APPOINTED MEMBERS FROM THE PRIVATE SECTOR SHALL INCLUDE:
- (I) A REPRESENTATIVE FROM THE COMMUNITY ACTION COUNCIL OR ANY OTHER FEDERALLY DESIGNATED ANTI-POVERTY AGENCY;
  - (II) A REPRESENTATIVE FROM GRASSROOTS OR ANY OTHER HOMELESS SHELTER SERVING BOTH INDIVIDUALS AND FAMILIES;
  - (III) A REPRESENTATIVE FROM CONGREGATIONS CONCERNED FOR THE HOMELESS OR ANY OTHER PROVIDER OF FAMILY STABILIZATION SERVICES;
  - (IV) A REPRESENTATIVE FROM THE ASSOCIATION OF COMMUNITY SERVICES OR ANY OTHER NETWORK OF HUMAN SERVICES PROVIDERS AND ADVOCATES FOCUSED ON SERVING FAMILIES IN HOWARD COUNTY;

- (V) AT LEAST ONE INDIVIDUAL WHO IS, OR WAS, HOMELESS OR A RECIPIENT OF EMERGENCY, TRANSITIONAL, OR SUBSIDIZED HOUSING SERVICES;
- (VI) AT LEAST ONE INDIVIDUAL WHO IS, OR WAS, A RECIPIENT OF CASH BENEFITS OR SERVICES, OR BOTH, TO SUPPORT THEIR TRANSITION FROM WELFARE TO WORK;
- (VII) A REPRESENTATIVE OF A BUSINESS THAT PROVIDES ENTRY AND MID-LEVEL EMPLOYMENT OPPORTUNITIES;
- (VIII) A REPRESENTATIVE OF THE HOWARD COUNTY CHAMBER OF COMMERCE OR ANY OTHER ORGANIZATION WHOSE PURPOSE IS TO FACILITATE THE SUCCESS OF BUSINESSES;
- (IX) A REPRESENTATIVE OF A FAITH-BASED ORGANIZATION;
- (X) AN INDIVIDUAL OR REPRESENTATIVE OF A BUSINESS THAT PROVIDES FINANCIAL SERVICES; AND
- (XI) A REPRESENTATIVE OF AN ORGANIZATION THAT PROVIDES, OR ADVOCATES FOR, TRANSPORTATION SERVICES.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 23-2008 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 23-2008 as follows: *(This amendment adds certain issues to the Board’s responsibility.)*

On page 5 in line 30, after “INTERVENTION,” add “FINANCIAL LITERACY,”.

On page 6 in line 1, remove “POVERTY” and add “POVERTY, FINANCIAL LITERACY”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 2 to Council Bill No. 23-2008 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 23-2008 passed as amended.

Council Bill No. 24-2008 – Establishing a Design Advisory Panel; requiring review by the Panel at the certain times in the development process and for the development of certain types of parcels; providing for the membership, chair, and staffing of the Panel; providing the guidelines and principals for the Panel to apply; providing for the duties and responsibilities of the Panel; requiring certain recommendations be made to the Director of the Department of Planning and Zoning; providing that the Director of Planning and Zoning and Hearing Authority can consider recommendations as a condition of plan and conditional use approval; authorizing the adoption of certain Rules of Procedure; authorizing certain fees; providing for certain exceptions applicable to the Panel;



providing for certain appeals; requiring certain disclosures; providing for the expiration dates of the terms of the initial members of the Panel; providing for the application of this Act; and generally relating to the Design Advisory Panel

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The Chairperson moved to table Council Bill No. 24-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to table was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to table Council Bill No. 24-2008 passed.

Council Bill No. 25-2008 (ZRA-91) – Amending the Howard County Zoning Regulations to establish a requirement for review by the Design Advisory Panel of age-restricted adult housing projects that are required to receive conditional use approval; and generally related to age-restricted adult housing projects

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The Chairperson moved to table Council Bill No. 25-2007. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to table was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to table Council Bill No. 25-2007 passed.

Council Bill No. 26-2008 – Introduced by Courtney Watson/Co. Spon. by Calvin Ball, Greg Fox, Mary Kay Sigaty & Jennifer Terrasa – Amending the Howard County Code to specify when petitions to amend the text of the zoning regulations may be filed with the County Council; and generally relating to zoning regulation text amendments

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The Chairperson moved to adopt Council Bill No. 26-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 26-2008 as follows: *(This amendment would change the petition acceptance dates from the months of March and September to February and August).*

On page 1, in line 19, strike “MARCH 1 TO MARCH 31” and substitute “FEBRUARY 1 TO FEBRUARY 28”. On the same page, in line 20 strike “SEPTEMBER 1 TO SEPTEMBER 30” and substitute “AUGUST 1 TO AUGUST 31” in each instance.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 26-2008 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 26-2008 as follows: *(This amendment would add a sunset clause that would make the provisions of the bill sunset on January 31, 2011).*

On page 2, in line 24, before the period insert “*and shall remain in effect until January 31, 2011. At the end of January 31, 2011, without further action required by the Council, this Act shall be abrogated and of no further force and effect.*”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Ball, Fox, Sigaty and Terrasa; Nay: Council Member Watson.

Amendment No. 2 to Council Bill No. 26-2008 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 26-2008 passed as amended.

Council Bill No. 27-2008 (ZRA-88) – Introduced by: The Chair at the request of Taylor Family Limited Partnership A & B - Amending the Howard County Zoning Regulations to permit retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses.

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The Chairperson moved to table Council Bill No. 27-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to table was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to table Council Resolution No. 27-2008 passed.

Council Resolution No. 30-2008 – Adopting Howard County’s Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds.

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The Chairperson moved to adopt Council Resolution No. 30-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 30-2008 passed.

Council Resolution No. 31-2008 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Taylor Village.

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The Chairperson moved to adopt Council Resolution No. 31-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 31-2008 passed.

Council Resolution No. 32-2008 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Waverly Woods.

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The Chairperson moved to adopt Council Resolution No. 32-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 32-2008 passed.

Council Resolution No. 34-2008 – Introduced by Calvin Ball, Mary Kay Sigaty, and Jennifer Terrasa/Co-sponsored by Greg Fox and Courtney Watson - Creating a youth task force to advise the County Council; providing for the membership, officers, duties, and powers of the task force; requiring the task force to hold certain meetings and issue certain reports; and generally relating to a youth task force

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The Chairperson moved to adopt Council Resolution No. 34-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 34-2008 as follows: *(This amendment concerns the appointment of members of the youth task force.)*

On page 2, in line 11, delete beginning with “nominated” through “System”.

Also on page 2, in line 12, strike “nominated by the administration of” and substitute “from”.

Also on page 2, in line 13, strike “nominated by the administration of” and substitute “from”.

Also on page 2, beginning in line 15, strike “to be nominated by each member of the County Council” and substitute “one from each Councilmanic district”.

Also on page 2, in line 17, strike “nominated by” and substitute “representing”.

Also on page 2, beginning in line 19, strike “to be nominated by the President of Howard Community College”.

Also on page 2, in line 22, strike “nominated by” and substitute “representing”.

Also on page 2, in line 23, strike “nominated by” and substitute “representing”.

Also on page 2, in line 25, strike “nominated by” and substitute “representing”.

Also on page 2, in line 26, strike “nominated by” and substitute “from”.

Also on page 2, in line 28, strike “nominated by” and substitute “from”.

Also on page 2, in line 30, strike “nominated by” and substitute “representing”.

Also on page 2, in line 31, strike “nominated by” and substitute “representing”.

On page 3, in line 1, strike “nominated by” and substitute “from”.

Also on page 3, in line 3, strike “nominated by” and substitute “from”.

Also on page 3, in line 4, strike “nominated by” and substitute “representing”.

Also on page 3, in line 5, strike “nominated by” and substitute “from”.

Also on page 3, in line 7, strike “nominated by” and substitute “from”.

Also on page 3, in line 8, strike “nominated by” and substitute “from”.

Also on page 3, in line 10, strike “nominated by” and substitute “representing”.

Also on page 3, beginning in line 12, strike “the entities that nominate the members, to the extent practical, shall consider” and substitute, “the membership shall reflect”.

Also on page 3, in line 17, strike “the appropriate entity shall nominate” and strike “who”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Resolution No. 34-2008 as follows: *(This amendment concerns the appointment of members of the youth task force.)*

Strike lines 6 and 7 and substitute:

*“Also on page 2, beginning in line 15, strike “nominated” and substitute “designated”.*

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Amendment No. 1 to Council Resolution No. 34-2008 passed.

The roll call vote called by the Chairperson on the amendment as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 34-2008 passed as amended.

The roll call vote called by the Chairperson on the resolution as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 34-2008 passed as amended.

## **ADJOURNMENT**

The Chairperson adjourned the legislative session at 8:12 p.m.

## **TABLED LEGISLATION**

Council Bill No. 24-2008 – Establishing a Design Advisory Panel; requiring review by the Panel at the certain times in the development process and for the development of certain types of parcels; providing for the membership, chair, and staffing of the Panel; providing the guidelines and principals for the Panel to apply; providing for the duties and responsibilities of the Panel; requiring certain recommendations be made to the Director of the Department of Planning and Zoning; providing that the Director of Planning and Zoning and Hearing Authority can consider recommendations as a condition of plan and conditional use approval; authorizing the adoption of certain Rules of Procedure;

authorizing certain fees; providing for certain exceptions applicable to the Panel; providing for certain appeals; requiring certain disclosures; providing for the expiration dates of the terms of the initial members of the Panel; providing for the application of this Act; and generally relating to the Design Advisory Panel (*Tabled 05/05/08*)

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Council Bill No. 25-2008 (ZRA-91) – Amending the Howard County Zoning Regulations to establish a requirement for review by the Design Advisory Panel of age-restricted adult housing projects that are required to receive conditional use approval; and generally related to age-restricted adult housing projects (*Tabled 05/05/08*)

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Council Bill No. 27-2008 (ZRA-88) – Introduced by: The Chair at the request of Taylor Family Limited Partnership A & B - Amending the Howard County Zoning Regulations to permit retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses. (*Tabled 05/05/08*)

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